

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

SIERRA DUST CONTROL, L.L.C.

Plaintiff,

v.

NEXT LEVEL ENERGY SERVICES,
L.L.C.,

Defendant.

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No. 2:15-cv-2047-JRG

**JOINT MOTION TO STAY PENDING
FINALIZATION OF SETTLEMENT AGREEMENT**

Sierra Dust Control, L.L.C. (“Sierra”) and Next Level Energy Services, L.L.C. (“Next Level”), respectfully submit this Joint Motion to Stay Pending Finalization of Settlement Agreement and would show as follows.

1. On February 25, 2016, Sierra and Next Level participated in a mediation before Gil Gillam, and as a result of such mediation the parties entered into an Agreement to resolve their disputes.
2. Among other things, the Agreement provides that Sierra will not oppose Next Level’s request to begin work on its next five dust control jobs for PetroMax, and those five jobs only, which were identified by Wes Campbell in his testimony at the Contempt Hearing on February 23, 2016. The first of these five dust control jobs is set to begin Monday, February 29, 2016.
3. Sierra and Next Level request that this action be stayed for 45 days pending execution of the final settlement papers by the parties.
4. A proposed order memorializing the foregoing is attached.

Dated: February 26, 2016

Respectfully submitted,

FISH & RICHARDSON P.C.

By: /s/ Thomas M. Melsheimer

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L.L.C.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing document has been served on February 26, 2016, to all counsel of record who are deemed to have consented to electronic service via the Court's CM/ECF system per Local Rule CV-5(a)(3).

By: /s/ Thomas M. Melsheimer

Thomas M. Melsheimer